

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

PATRICIA ANN GRANNY, for)	
Douglas Rodger Granny (Deceased),)	Civil Action No. 11 – 1177
)	
Plaintiff,)	District Judge Joy Flowers Conti
)	Chief Magistrate Judge Lisa Pupo Lenihan
v.)	
)	
ARMSTRONG COUNTY JAIL and)	
CAMP HILL,)	
)	
Defendants.)	

MEMORANDUM ORDER

Plaintiff Patricia Ann Granny (“Plaintiff” or “Granny”) initiated this action pursuant to the Civil Rights Act of 1871, 42 U.S.C. § 1983, on behalf of her deceased son, Douglas Rodger Granny. Plaintiff filed her complaint on July 13, 2011 (ECF No. 1), and this case was referred to United States Magistrate Judge Lisa Pupo Lenihan for all pretrial proceedings in accordance with the Magistrate Judge’s Act, 28 U.S.C. § 636(b)(1), and Local Rules of Court for Magistrate Judges.

On October 28, 2011, defendant Camp Hill (“Camp Hill”) filed a motion to dismiss for lack of subject-matter jurisdiction pursuant to Federal Rule of Civil Procedure 12(b)(1). (ECF No. 12.) In a Report and Recommendation (“Report”) dated June 1, 2012, the magistrate judge recommended that the motion be granted and that Plaintiff’s complaint be dismissed with prejudice in its entirety against Camp Hill. (ECF No. 23.) Plaintiff was served with the Report at her listed address and advised that she had until June 18, 2012 to file written objections. Upon

request, she was granted an extension of time until August 2, 2012 by which to file objections. In response, Plaintiff filed a letter to the magistrate judge, which this court hereby construes as objections. (ECF No. 27.) While the court sympathizes with Plaintiff's situation, her objections under the law do not undermine the Report of the magistrate judge.

As such, after *de novo* review of the pleadings and documents in the case, together with the Report and Recommendation, and the objections thereto, the following order is entered.

AND NOW, this 24th day of August, 2012,

IT IS HEREBY ORDERED that the Motion to Dismiss filed by Defendant Camp Hill (ECF No. 12) is **GRANTED**.

IT IS FURTHER ORDERED that the Report and Recommendation of Magistrate Judge Lenihan dated June 1, 2012 (ECF No. 23) is adopted as the opinion of this Court.

AND IT IS FURTHER ORDERED that the Clerk shall terminate Defendant Camp Hill from this action.

By the Court:

/s/ Joy Flowers Conti
Joy Flowers Conti
United States District Judge

cc:

Patricia Ann Granny
720 West Chester Dr.
Westmoreland County
North Huntingdon, PA 15642

Counsel of record.